

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING APPLICATION UNDER 37 C.F.R. 1.53(b)
WITHOUT FILING FEE AND/OR WITHOUT EXECUTED INVENTOR'S DECLARATION

Mail Stop Patent Application

Atty. Dkt. 1579-871

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Date: December 9, 2003

This is a request for filing a new PATENT APPLICATION under Rule 53(b) entitled:

VACCINE ADJUVANT

without a filing fee and/or without an executed inventor's oath/declaration.

This application is made by the below identified inventor(s). Attached hereto are the following papers:

☐ Newly executed Declaration, ☐ Copy of Declaration from prior application, ☒ Abstract

☐ Please **delete** the following inventors in the continuation/division/continuation-in-part application:

Deleted persons:

19 pages of specification and claims (including 19 numbered claims), and

12 sheets of accompanying drawing/s.

☐ Attached is a Power of Attorney.

☐ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number

Country

Day/Month/Year Filed

, respectively, the entire content of which is hereby incorporated by reference in this application..

☐ Certified copy(ies) of foreign application(s) is/are attached.

☐ Certified copy(ies) filed on _____ in prior application no. _____ filed _____

☒ This application claims the benefit of Provisional Application No. 60/431,727, filed December 9, 2002, the entire content of which is hereby incorporated by reference in this application.

☐ This application is a ☐ continuation/☐ division/☐ continuation-in-part of Application No. _____, filed _____, the entire content of which is hereby incorporated by reference in this application.

☐ Petition filed in prior application to extend its life to insure co-pendency.

☒ The prior application is assigned to DUKE UNIVERSITY, Durham, North Carolina,

☐ It is hereby requested that the Examiner consider the art cited in the above parent application(s) by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached, but pursuant to Rule 98(d) copies are not required.

☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.

☐ Please enter the attached and/or below preliminary amendment **prior** to calculation of filing fee:

☐ Also attached: ☐ Information Disclosure Statement; ☐ Non-Publication Request; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☐ Other:

1. Inventor: Barton F. HAYNES U.S.A.
(first) MI (last) (citizenship)
Residence: (city) Durham (state/country) North Carolina
Mailing Address: 3923 Wentworth Street, Durham, North Carolina
(Zip Code) 27707

☐ See attached sheet(s) for additional inventor(s) information!!

Address all future communications to NIXON & VANDERHYE P.C., 1100 North Glebe Road, 8th Floor, Arlington, VA 22201.

Correspondence Address:

NIXON & VANDERHYE P.C.

Customer Number:

23117

By Atty: Mary J. Wilson, Reg. No. 32,955

Telephone: (703) 816-4000

Facsimile: (703) 816-4100

MJW:tat

Signature:

Mary J. Wilson

22386 U.S. PTO
10/730379
120903